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06 UNITED STATES DISTRICT COURT  
07 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

08 MICHAEL LIONEL EDWARDS, )  
09 Plaintiff, ) CASE NO. C11-0540-JCC  
10 v. )  
11 KING COUNTY JAIL, et al., ) REPORT AND RECOMMENDATION  
12 Defendants. )  
13 \_\_\_\_\_ )

14 On March 30, 2011, plaintiff Michael Edwards presented to this Court for filing a civil  
15 rights complaint under 42 U.S.C. § 1983 together with an application to proceed with this  
16 action *in forma pauperis*. (See Dkt. No. 1.) Plaintiff asserted in his complaint that he had  
17 been assaulted with feces and then denied medical attention while confined in the King County  
18 Jail in October 2010. He further asserted that had been denied a diet which accommodated his  
19 food allergies, and that he had been harassed by one of the Jail Officers.

20 On May 11, 2011, plaintiff's application for leave to proceed *in forma pauperis* was  
21 granted and his complaint was filed. (See Dkt. Nos. 6 and 7.) On the same date, this Court  
22 issued an Order declining to serve plaintiff's complaint and granting him leave to amend.

01 (Dkt. No. 6.) Plaintiff was advised therein that his complaint was defective in various respects  
02 and that he would have to correct those defects before the action could proceed. (See Dkt. No.  
03 8.) On May 23, 2011, the copies of the orders granting plaintiff leave to proceed *in forma*  
04 *pauperis* and declining to serve plaintiff's complaint, which were mailed to plaintiff at his  
05 address of record, the King County Correctional Facility, were returned by the post office with  
06 a notation indicating that plaintiff was no longer in jail. To date, plaintiff has not provided the  
07 court with a new address.

08 Because over sixty days have passed since mail directed to plaintiff at his address of  
09 record was returned by the post office, and because plaintiff has not notified the court of his  
10 current address, this action should be DISMISSED, without prejudice, for failure to prosecute  
11 pursuant to Local Rule CR 41(b)(2). A proposed order accompanies this Report and  
12 Recommendation.

13 DATED this 29th day of July, 2011.

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16 Mary Alice Theiler  
17 United States Magistrate Judge  
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